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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/893,260

06/27/2001

Srinivas Gutta

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04/05/2006

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

NGUYEN, QUYNH H

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,260

Applicant(s)

GUTTA ET AL.

Examiner

Quynh H. Nguyen

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2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on remarks 1/19/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's remarks filed 1/19/06 has been entered. No claims have been amended. No claims have been cancelled. No claims have been added. Claims 1-19 are still pending in this application, with claims 1, 9, 10, 17, and 18 being independent.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacenda et al. (U.S. Patent 5,822,418) in view of Lu (U.S. Patent 5,031,228).

Regarding claims 1, 2, 8, and 9, Yacenda et al. teach a system comprising a control unit ("locator system") for locating and routing telephone calls for the individuals that includes the steps of positioning a plurality of transceivers in two or more regions of a local environment ("closed environment") (col. 2, lines 27-30) each begin serviced by telephone extension (Fig. 1, telephones 12, 14, and 16). The central computer 20 is utilized to process the information received from the remote badges to determine the identity of the person associated with the respective badge or generate an indicium associated with the respective badge associated with the identity of the person (col. 4, lines 29-35 and lines 60-64; col. 13, lines 31-32). The transceivers receive

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transmissions from the badges and relay the information to the central processor that in turn directs incoming calls for each particular person to their detected location.

What differs between Yacenda and the instant patent application is that Yacenda teaches determining the identity of a person by a remote transmitting device such as a badge; while the instant application detecting the identity of a person by a the use of the processed image (a camera).

Lu teaches the system and method to provide image recognition for identifying directions within a monitored area corresponding to the possible locations of individual audience members. A video camera 28 is pointed to the audience members within the monitored area to capture the images, an identified portion of the processed video image is compared with the stored feature image signature corresponding to each predetermined individual member's face of a viewing audience to identify the audience member (col. 2, lines 9-12 and 47-60, col. 4, lines 23-38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Lu, into the teachings of Yacenda in order to have an alternative method of locating a person using cameras instead of using transceiver and remote badges. Utilizing the cameras to determine the identity of a known person is the prefer one in this application.

Regarding claims 3-6, Yacenda et al. teach the control unit generate a signal when associating the known person with the respective location and output to the PBX, the PBX uses the signal to create a record ("personal information") that associates the known person with the telephone exchange servicing the respective region in which the

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known person is located and the PBX re-direct incoming calls for each particular person to their detected location (col. 4, lines 4-35).

Regarding claim 7, Yacenda et al. do not explicitly teach for each known person identified, that associates the known person with the respective region is incorporated in a record maintained in the control unit. It would have been obvious to one of ordinary skill in the art that in order to re-direct incoming calls for each person to their detected location, there is a need to maintain a record such that for each known person identified, associates the known person with the respective region is incorporated in that record.

Limitations a and b of claim 10 and claim 17 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Yacenda et al. teach identifying a desired recipient of the incoming call (col. 4, lines 24-29 and col. 5, lines 5-9); determining whether the desired recipient is one of the known persons identified in one of the regions (col. 4, lines 29-32); connecting the incoming call to an extension servicing the respective region in which the desired recipient is located (col. 4, lines 16-18).

Regarding claims 11 and 12, Lu teaches for one or more regions, directing at least one camera to at least a portion of the region or positioning a camera to capture images (col. 5, lines 3-50).

Regarding claim 13, Lu teaches applying image recognition processing to the images (col. 4, lines 23-39).

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Regarding claims 14-16, Lu teaches accessing a database of image data for the group of known persons (col. 2, lines 47-49); creating a record associating each known person identified from the captured images with the respective region in which the known person is located and searching the records relating to each known person and the respective region in which the known person is located (col. 2, lines 22-60).

4. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacenda et al. (U.S. Patent 5,822,418) in view of Lu (U.S. Patent 5,031,228) and further in view of Griffith et al. (EP0905956A2).

Claim 18 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Yacenda teaches re-directing incoming calls to identify persons in their detected locations (col. 4, lines 16-18); continuously update locations of the called party so as to enable the caller to track the locations of the called person in order to re-route incomings for the particular person at his or her identified locations (col. 4, lines 60-64). Yacenda and Lu do not specifically suggest if not known persons are identified in any region, directs an incoming call to a region where any person is detected.

Griffith et al. teaches if an agent is not available at the particular location; the call is routed to another closest agent (col. 9, lines 7-9).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Griffith into the teachings of

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Yacenda and Lu thus making the system more efficient and user-friendly by always having a qualified live agent to assist customer handling emergency calls.

Regarding claim 19, Yacenda teaches if a known person is in a region wherein no phone is present, the control unit will direct an incoming call for that known person to an adjacent region where a phone is present (Fig. 24C, 1979; col. 19, line 66 though col. 20, line 3 - *where Yacenda discussed establishing telephone link with a telephone nearest the location of the called party*).

Response to Arguments

5. Applicant's arguments filed 1/19/06 with respect to claims 1-17 have been fully considered but they are not persuasive. Applicant's arguments with respect to claims 18-19 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments are address in the above claims rejections.

Applicant mainly argues that Lu teaches a system operable to identify a person or persons constituting a viewing audience in an unidentified location. Examiner respectfully disagrees. Lu teaches locating individual audience members in the monitored area (col. 2, lines 49-51; col. 4, lines 34-37). On one hand, the primary reference Yacenda teaches a control unit ("locator system") for locating and routing telephone calls for the individuals that includes the steps of positioning a plurality of transceivers in two or more regions of a identified environment / closed environment (col. 2, lines 27-30). On the other hand, what is the purpose of monitoring an unidentified location? For example, a dispatcher would dispatch a police office to a

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crime scene that the dispatcher detected from the camera that he or she is monitoring, but the police would not know where to go if the camera is monitoring an unidentified location.

Applicant argues that there is no motivation to combine Yacenda and Lu.

Examiner respectfully disagrees. Yacenda teaches determining the identity of a person by a remote transmitting device such as a badge; while the instant application detecting the identity of a person by a the use of the processed image (a camera). Lu teaches the system and method to provide image recognition for identifying directions within a monitored area corresponding to the possible locations of individual audience members. A video camera 28 is pointed to the audience members within the monitored area to capture the images, an identified portion of the processed video image is compared with the stored feature image signature corresponding to each predetermined individual member's face of a viewing audience to identify the audience member (col. 2, lines 9-12 and 47-60, col. 4, lines 23-38). The combination of the two references teach the claims invention.

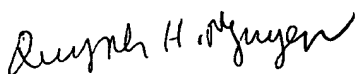
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:15 A.M. to 5:45 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan, can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 29, 2006


Quynh H. Nguyen
Patent Examiner
Art Unit 2614